C.F. 71

19 40

Department of R.2

OFFICE C/O of Secretariat

STATION Nairobi

RECEIVED 10 DEC 1940

C/O No. 3585

8·1810/40

Dated 17-12-40

Pages in the file

(SUBJECT.)

Sonia Kanara

Escheat (~~Probate~~) Duties on - Correspondence etc. [redacted]

Properties. Late Rudrayya. Final disposal [redacted]

To recorded

Ref. A3.3031-40.

South Kanara Collector's Office,
Mangalore, 3rd May 1940.

From

Sri Rao Bahadur V. Ponnuswami Pillai,
Collector of South Kanara.

The Secretary to the Board of Revenue,
M a d r a s.

Sir,

Escheat - Puttur Taluk - Kokkada, Kaukradi and Nelliyadi villages - outright sale - Sanction - Requested.

******

In G.O.Mis.No. 959, Revenue dated 30th May 1922, communicated with B.P.Mis.No. 928, dated 5th June 1922, the property shown in the enclosed list left by Rudraya in Kokkada, Kaukradi and Nellyadi villages of Puttur Taluk, was declared escheat. The entire property with the exception of S.No. 120/5 and 7 of Kokkada village was taken possession of by the Deputy Tahsildar, Beltangady Sub Taluk in May 1927 while the excepted sub-divisions came into the possession of Government on 15-8-1928. As it is now more than 12 years since the entire property with the exception of S.Nos. 120/5 and 7 of Kokkada village came into the possession of Government it is now ripe for disposal under the provision of B.S.O.No. 197-7. I, therefore, request that the Board may be pleased to sanction the disposal of the property by sale by public auction. Sanction may also be accorded for the disposal of the excepted sub-divisions S.Nos. 120/5 and 7 of Kokkada village likewise after 15-8-1940.

For C o l l e c t o r.

List showing the particulars of the properties relating to ---- escheated estates of Kokkada, Kaukrady and Nellyadi villages of ------ Puttur Taluk.

No. and name of the village.	Description of the lands. S. & Sub. dn. No.	Whether wet, garden or dry.	Extent.	Assessment.	Remarks.
1.	2.	3.	4.	5.	6.
84 Nellyadi.	29-2.	Wet.	1.46.	6 3 0.	
	28-9.	"	0.96.	2 3 0.	
	7-2.	"	0.32.	1 6 0.	
	5.	Dry.	1.24.	0 10 0.	
	8-3.	Wet.	2.66.	7 8 0.	
	14-2A.	Dry.	0.31.	0 2 0.	
27 Kokkada.	143-1.	Wet.	4.68.	13 3 0.	
	2.	Garden.	0.68.	3 13 0.	
	3.	Wet.	1.65.	3 8 0.	
	167-15.	Dry	0.51.	0. 3 0.	
	(Original 219)				
	111-1.	Wet.	1.40.	5 15 0.	
	124-5.	"	1.19.	3 6 0.	
	111-3A2.	"	1.06.	4 8 0.	
	112-1A.	"	0.93.	2 10 0.	
	115-3.	"	2.68.	2 6 0.	
	27-3.	"	0.50.	2 2 0.	
	27-8.	"	0.49.	2 1 0.	
	12.	"	1.00.	0 14 0.	
	13.	Dry.	0.56.	0 5 0.	
	14.	Wet.	0.26.	0 5 0.	
	15.	Garden.	0.22.	1 4 0.	
	26-4.	Wet.	0.38.	1 10 0.	
	25-5.	Wet.	0.76.	3 4 0.	
	18-4.	"	0.26.	0 7 0.	
	26-8.	"	0.18.	0 3 0.	
	269-1.	Dry.	0.25.	0 2 0.	
	181-2.	Garden.	0.08.	0 4 0.	
	130-5.	Wet.	0.96.	4 1 0.	
	32-1.	Dry.	5.12.	1 15 0.	
	52-6A.	Wet.	0.76.	2 2 0.	
	4.	"	0.74.	2 1 0.	
	43-5.	"	1.18.	5 0 0.	
	33-7.	"	0.38.	1 10 0.	
	140-1.	"	0.96.	2 11 0.	
	33-1.	Dry.	3.38.	2 9 0.	
	2.	Wet.	0.33.	0 6 0.	
	3.	"	2.92.	12 7 0.	
	32-5.	Garden.	0.76	2 9 0.	
	18-1.	Wet.	0.72.	3 1 0.	
	3.	"	2.50.	4 4 0.	
	5.	"	0.83.	1 6 0.	
	7.	"	0.78.	1 5 0.	
	8.	"	0.73.	3 2 0.	
	149-6.	"	1.81.	7 11 0.	
	7.	Garden.	1.89	10 10 0.	
	167-8.	"	0.43.	1 0 0.	
	(Original 228/2).				

27 Kokkada.	29-7B.	Wet.	0.44.	1	14	0.	
	11B.	"	1.10.	4	11	0.	
	120-5.	"	3.02.	2	10	0.	
	7.	"	3.23.	2	13	0.	
	33-5.	"	2.39.	10	3	0.	
	134-6.	"	2.06.	8	12	0.	
	26-9.	"	1.61.	6	14	0.	
	208.	Garden.	1.17.	2	10	0.	
88 Kaukrady.	50-15.	Wet.	1.29.	3	10	0.	
	43-2.	"	1.18.	3	5	0.	
	8.	"	1.36.	3	13	0.	
(old S.N. 135)	41-5.	Garden.	1.10.	3	11	0.	
	123-5.	"	0.20.	0	11	0.	
	61-3.	Wet.	1.60.	1	6	0.	

Muli right in the following mulgeni properties.

88 Kaukrady	28-1.	Wet.	1.73.	4	14	0.	
	2.	"	0.27.	0	5	0.	Mulgeni rent is
	3.	Garden	0.17.	1	5	0.	Rs. 8-2-0.
	4.	Wet.	0.50.	0	7	0.	
Do.	61-7.	Wet.	0.69.	0	10	0.	
27 Kokkada.	15-1.	"	4.27.	18	2	0.	Mulgeni rent is
	2.	Garden.	0.10.	0	5	0.	Rs. 29-8-0.
	17-7B.	"	1.26.	2	13	0.	

South Kanara Collector's Office,
Mangalore, 3rd May 1940.

For Collector.

4.5.40

(M 2
MWS)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	30/5	
When copied ..	31/5	
When examined..	1.6.	
When signed ..		
When despatched.	DESPATCHED 1-JUN 1940	

SUBJECT:— Escheat (South Kanara) Cutting Co. Koppada estates. Properties of late Rudrayya. Final disposal. Further report called for

(T) READ AGAIN Copy no 44 mis, dated 6.1.27. Rec 19

" " " 19

READ *ALSO*:— P.C.F.

✓ & No. 1810/40 From the Letter from the Collector of S. Kanara Rec A 3.3031.40 No. , dated 19 d 35/40 Rec

" " " " 19

" " " " 19

Order / Resolution Ms. / Rout No. , dated 19

139/40 2/9/40 109/40

Rec G.1810-40-1 d 30/5/40

The Collector is requested to ascertain and report the present approximate value of the lands in question and to submit a clear report on the following points:—

(i) The list of properties attached to the Collector's letter cited above does not tally with the list appended to his letter Rec on A 3-4677-21 d 8.12.26, It does not also show ~~nor does it relate~~ to all the lands specified in the Schedules B, C & D of the same letter. It is not known in respect of which lands as a result of the final compromise in pursuance of the orders ending with Copy no 44 mis d 6.1.1927 ~~have~~

Rop 3-4 C.9

Rop 2-3 C.70 (T)

P 4 (T)

(T)

~~[illegible] what were the lands~~
~~in which were conceded to the defendants~~
claim was conceded and
~~what were the lands~~ in respect
of which the rights of the Govt were
lands
finally asserted. It should be
specifically reported whether the list
now submitted by the Collector includes
all the lands in respect of which
the State's claim was asserted and
established in 1927.

(ii) From a perusal of the Collector's
letter Rec. on V3-4677-21 dt 16.11.1923 p. 10 ante (R)
& the plaint attached thereto it is p. 8 ante (R)
observed that possession was given of
S.Nos 61/3 & 135/4
Alankarady village ~~were effected~~.
~~the Surveyor effected present possession~~ in 1923
and that no suit was filed in respect
of them. From the Collector's present-
letter it is seen that they were p. 107
taken possession of only in May 1927.
The discrepancy requires explanation.
~~Could~~ If they were actually taken possession of
in 1923 it should be stated ✓
why proposals for their final disposal
were not submitted earlier.

(iii). The notation and/or contents of ~~extents~~
the fields specified below do not tally with the patta etc
as reported in 1926. The difference
should be accounted for:— ✓

~~[illegible] were to lands~~
~~claim was conceded and [illegible] were to lands in respect~~
of which the rights of the Govt were
finally asserted. It should be
specifically reported whether the list
now submitted by the Collector includes
all the lands in respect of which
the State's claim was asserted and
established in 1927.

(ii) From a perusal of the Collector's
letter Rfce on V3-4677-21 dt 16.11.1923 p 107 (R)
& the plaint attached thereto it is p. 8 C 7 (M)
observed that possession was given of
S Nos 61/3 & 135 of
Kankaraddy village ~~was opposed~~.
~~the Surrendered peaceful possession~~ in 1923
and that no suit was filed in respect
of them. From the Collector's present- p 107
letter it is seen that they were
taken possession of only in May 1927.
The discrepancy requires explanation.
~~(a)~~ If they were actually taken possession of
in 1923 it should be stated ✓
why proposals for their final disposal
were not submitted earlier.

(iii). The notation and/or contents of ~~column~~
the fields specified below do not tally with the contents etc
as reported in 1926. The difference
should be accounted for:— ✓

~~Specified a list were in lands~~
~~that were conveyed to the defendants~~ claim was conceded and
~~a list were in lands~~ in respect
of which lands the rights of the Govt were
finally asserted. It should be
specifically reported whether the list
now submitted by the Collector includes
all the lands in respect of which
the State's claim was asserted and
established in 1927.

(ii) From a perusal of the Collector's
letter Rfce on V3-4677-21 dt 16.1.1923 — p 10 ante (R)
& the plaint attached thereto it is — p 8 ante (P)
observed that possession was given of
S NOS 61/3 & 135 of
Kankaraj village ~~were effected~~.
~~the Govt. obtained peaceful possession~~ in 1923
and that no suit was filed in respect
of them. From the Collector's present-
letter it is seen that they were — p 107
taken possession of only in May 1927.
The discrepancy requires explanation.
~~(a)~~ If they were actually taken possession of
in 1923, it should be stated ✓
why proposals for their final disposal
were not submitted earlier.

(iii). The notation and/or contents of ~~certain~~
the fields specified below do not tally with the details etc
as reported in 1926. The difference
should be accounted for:— ✓

5

	S no extent etc as noted in 1926.		S no extent etc. as noted in the present	
Hokkadage.	111/3A.	1.34	111/3A-2	1.06
	181	0.08	181/2	0.08
	52/6	0.80	52/6A	0.76
	29/7.	0.41	29/7.0	0.44
	29/11	1.50	29/11.0	1.10
Kankavadage.	61/7.	1.03	61/7	0.69

(70)

6

275/40

To the Collector of South Kanara. 27.540

hw 28/5/40

Pwd asst
hw
31/5/40

R-D

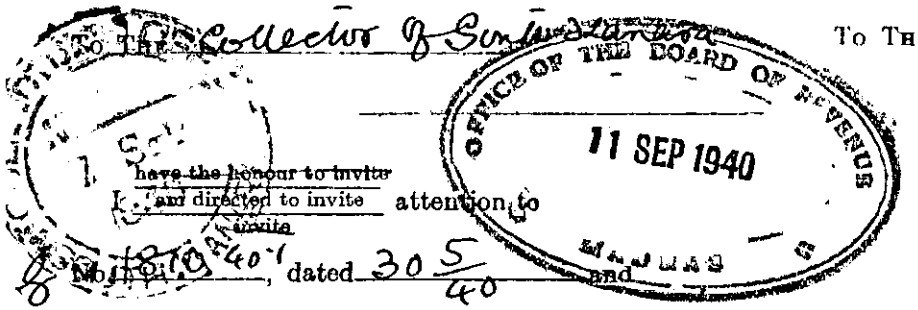
DEPARTMENT.

1 REMINDER. Returnable _____ Branch.

REPLY.

To The Collector of Sunderland

To The Board of Revenue Madras.



I have the honour to invite
~~I am directed to invite~~ attention to
~~invite~~

No. 1109-40-1, dated 30/5/40 and

~~to request that the reply to it may be expedited~~
request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) ~~the circumstances which have caused the delay~~.

The reference is pending with the Dy. Tahsildar, Pattukottai in connection with the Sub Court to whom an urgent Reminder has already been issued. The report called for will be such as about a fortnight.

Office Board of Rev

Station Madras

Dated 3.9.40

Signature. S S Narayanan

Designation. Jr Asst Secy

SUBJECT. D

Escheat. Action to dispose of deceased persons property etc Kallidaikurichi Rudrayya. Final disposal. Further report

S Narayanan
for Collector

9/9/40

3/9.9.40

To School

The collector may be reminded on

$\frac{1\,10}{40}$ if necessary

$\frac{9\,10}{200}$

$\frac{2\,10}{40}$ $\frac{\phi}{\frac{2\,10}{40}}$

$\frac{\phi}{\frac{14.9}{40}}$ $\frac{1}{14.9}$

CAF. 32.

In reply, please quote number, date and short title.

REVENUE DEPARTMENT.

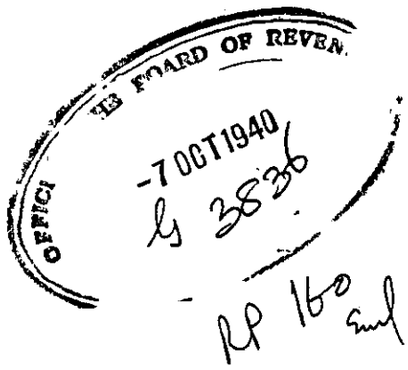
Received *Registered*

From (Name) M. V. Subrahmanyan, Esq., M.A., I.C.S.,

(Designation) Collector of South Kanara.

Post Box ____, (STATION) ____

Telegraphic Address ____



To

The Secretary to the Board of Revenue,
Madras.

Ref A3-*No.* 3031-40, *dated* 3rd October 1940.

Sir,

ENCLOSURES

SPARE COPIES

Escheat - Puttur Taluk - Kokkada, Kaukradi and ---- Nelliyadi villages - outright sale - further report ------ submitted.

Board's Ref.G.1810-40-1, dated 30th May 1940.

****

The present value of the property is reported to be approximately Rs. 9,250/-.

Para (i) of the Board's reference.- The list of -- the properties attached to this office letter A3-3031-40, dated 3-5-1940 cannot agree with the list appended to ---- this office letter Ref.A3-4677-21, dated 9-12-1926. The suit filed on behalf of Government for possession of the - properties was disposed of by the Subordinate Judge of --- South Kanara on 23-12-1936. In that suit, the Sub Judge allowed the Government's claim (i) to all the properties - shown in Schedule A (ii) to only S.No. 115/3 out of the --- properties shown in Schedule C (iii) and to only the muli right in respect of the properties shown in Schedule D; and he disallowed the claim in respect of all the properties -- shown in Schedule B, and the remaining properties shown in Schedule C. These facts were reported to the Board in --- this office letter Ref.A3-4677-21, dated 29-3-1927. In -- this letter, it was reported, that the Government's claim had not been allowed in respect of S.Nos. 113/1 and 141 out of the properties mentioned in the Schedule A. These ----

plots were not included in the Schedule A and their mention in this office report dated 29-3-1927 was not correct. The ---- State's claim to these plots was also disallowed by the Subordinate Judge. There is slight variation between the list of properties sent with this office Ref. A3-3031-40, dated 3-5-1940 and that appended to this office letter Ref.A3-4677-21, dated - 9-12-1926 regarding S.Nos. 113/3A, 24/18, 61/3, 135, 120/5 & 7 14/2A and 269/1. S.Nos. 133/3A and 24/18 of Kokkada village - shown in Schedule A are not correct. The correct S.Nos. are - S.Nos. 111/3A and 18/5 respectively. S.Nos. 61/3 and 135 of - Kokkada village were obtained without dispute in 1923. Hence they were not included in the Schedule A. This fact was reported to the Board in this office Ref.A3-4677-21, dated 16-11-23 in reply to Board's reference No. 928 Mis., dated 5-6-1922. The state's claim in respect of S.Nos. 120/5 and 7 of Kokkada village was allowed by the Subordinate Judge on 23-12-1926 along with - the other properties mentioned in Schedules A, C and D and they came into the possession of Government on 15-8-1928. The circumstances under which these plots were omitted to be shown in the list sent to the Board on 9-12-1926 are not known. Apparently it must be an omission. [S.Nos. 14/2A of Nelliadi village and 269/1 of Kokkada village shown in the list dated 3-5-1940 are dry lands subsequently included in the holding of the State on assignment after the escheated property came into the possession of the Government. S.No. 269/1 of Kokkada village was assigned on 24-12-1939 in the name of the Secretary of State for India - by the Deputy Tahsildar, Beltangady in D.R.68/39 as kumaki to - kadim lands S.Nos. 35 and 25/5 held by the Government. S.No.35 referred to in the darkast order, however, seems to be a mistake as it stood in the name of a different person. Similarly, S.No 14/2A of Nelliadi village was assigned in the name of the Secretary of State for India in D.R. 152/41 as kumaki to the escheated property S.No. 8/3. The assignment of these plots in the name of the Secretary of State for India and the inclusion of these plots in the holding registered in the name of the Secretary of State seem to have been uncalled for. The circumstances under

p 1 c.7

p 1 c.6 (T)

(T)

Kp 1-2 c.7&8 (R)

(X)

(B)

Kp 2-4 &7

Kp 3-4 c.7

(B) Seeking to examine Surveyor.

which the plots were assigned are not known except the fact ---- that they were assigned as kumaki to the kadim lands in question. No orders could be traced in support of the procedure; but, the procedure adopted by the Deputy Tahsildar prima facie appears to be absurd. The assignment orders may be held to be a nullity or if the Board considers that a formal order of cancellation is --- necessary, the Board may be pleased to pass such an order in ---- exercise of its general power of revision. In any case, the ---- lands do not form part of the escheated property. Hence, they have to be sold separately, if at all; otherwise they may merely be left registered as they stood before the 'assignments' were made. The plots in question are reported to be lying waste --- on the ground and ~~not~~ to be not valuable. A portion, measuring about 4 cents out of S.No. 269/1 of Kokkada village, however, --- has been converted into a paddy flat, but no crop is being raised on it. S.No. 14/2A is reported to contain a row of areca trees on the bund of the adjoining wet land, but the trees are reported to be too old and not bearing. I have called for the explanations of the Deputy Tahsildars who passed the assignment orders in the two cases.

...

Para iii of the Board's reference.- From the further ---- enquiry held in the matter, it is seen that portions of S. Nos. 111/3A, 52/6, 29/7 and 29/11 of Kokkada village were subsequently sub-divided and excluded from the escheated properties and ------ registered in the names of the respective owners in Beltangady -- Deputy Tahsildar's K.R.Nos. 38/45 and 112/38. This accounts --- for the variations between the original extents and notations --- reported to the Board in 1926 and their present extent and notations. During the escheat proceedings and the institution of -- the suit no mention has been made that the four plots referred to above formed portions of bigger extents comprised in these survey numbers. In pursuance of the decree and judgment, a major ----- portion of the property including the four subdivisions referred to above was taken possession of by the Deputy Tahsildar, ------ Beltangady on 24-4-1927. In the list furnished by the Deputy Tahsildar, he did not furnish the extent of the plots in ------

question. The right of cultivating the property for the year - 1927-28 was sold in May 1927 and while selling the plots in --- question, the extent shown in the schedule sent in 1926 was adopted. The registry of the plots in question stood in the name of private individuals at the time of the escheat proceedings. Presumably the parties must have applied for the separate registry of the plots in question according to their enjoyment and the plots in question must have been sub-divided and registered separately in the transfer of registry cases referred to above, in 1929, so -- far as it relates to S.Nos. 52/6 and 29/7 and 11 and in 1935 so far as it relates to S.No. 111/3A. The transfer of registry -- records have been destroyed. S.No. 181 was merged with a bigger field and has been denoted as S.No. 181/2. The extent of S.No. 61/7 of Kaukradi village is reported to have been revised into 0-69 acre as a result of the erratum sanctioned in Collector's - D.Dis. 6165-25, dated 11-8-1925. These records have also been destroyed.

2. A copy of the judgment in O.S.No. 59/1924 is enclosed. - Certified copy of the decree in the above suit is not available. Presumably it has not been obtained back from the Court after the disposal of the execution proceedings filed by Government for the recovery of the possession of some of the plots for which decree was passed in favour of the Government.

(3)

For Collector.

3X.40

(M1 SMS);

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	19/11/40	
When examined ..	20/11.	N.T.R.
When signed ..		
When despatched.		

SUBJECT:— Escheat (South Kanara) Auction of Kotanada estates. Properties of late Rudrayya. Final disposal

10/2

20.11.40

Dis p-26 (K).

READ AGAIN G.O. No. 959 Rev dy, dated 30.5 & t Govt 19

p-1198(M) „ G.O. No. 900 Rev dy „ 12.5.22. & t Govt 19

READ ALSO:— p 1-4 C.7.

G No. 1810/40 From the Collr South Kanara Rcpce A3-3031-40 dy 35/40 19

„ — p 5-7 C.7. Bd's Rcpce dy 30.5.40 „ 19

„ — p 9-12 C.7 G. B836/40. „ „ 19

A minutes to Govt

Order / Resolution Ms. / Rout. No. , dated 19

Rcpce G.1810-40-2 dy 18.11.40

Submitted to the Govt.

2 In the circumstances reported, the Board requests that the Govt may be pleased to sanction the disposal of the lands specified in the list appended to the Collector's letter first cited above by sale in public auction.

3. As regards SNos 14/2A of Kelliyadi village & 269/1 of Kokkada village, however the Board considers that they should not have been assigned by the Dy Commissioner in the name of the Secretary of State. Orders are being issued cancelling their assignment.

~~It may not be necessary to proceed to sell the~~

~~sale.~~

4

15.11.40

4. Under B.S.Co 15-18 The Bd cancels the assignment of S.No. 269/1 of Kokkada Vge and S.No. 14/2A of Nelliadi Vge, Puttur Tk ordered (within D.T, Bellangadi) in D.R. 68/39 d/24.12.39 and D.R. 152/41 respectively as the procedure adopted by the Deputy Tahsr, Bellangadi was irregular.

5. The attention of the Collr is invited to para 11 of B.S.Co 15-Co and he is informed that the Kumaki lands referred to above should not be sold. They should be disposed of in favour of the assignees of the Kadim lands concerned. They should now be left registered as they stood in their registry before their assignments were made by the Dy Tahsr and should be restored and entered in the prohibitive order book pending disposal of the escheated lands, S.Nos 257/1 Kand 8/3 of Kokkada Vge & Nelliadi Vge. On the disposal of the latter lands application in favour of the assignees of the latter lands for one of the latter lands they may be assigned according to rules

15/11
16/11

para 3 (E)

In a Revision

To be seen by the Govt R.D (paras 1-3 only) (4) with the judgment when received with records.

To the Collr of S.Kanara (paras 4 & 5 only)

20/11

No. (Insurance Notices see reverse. affixed except in case of uninsured not exceeding 2½ tolas or one in weight or on which no acknowledgment is due.) Rs. As. Date-stamp.
Rece
addressed
Initials of Rec... ere "letter," "postcard," "packet" or "parcel" ...he word "Insured" before it when necessary.
Insured: Insurance (figures) (in words)
Insurance Rs. (in words). Weight / Rates Tolas
Name and address of send...

Sectt. II-15 (a)—35,006—2-11-39.

OFFICE OF THE BOARD OF REVENUE 13 DEC 1940 MADRAS — GOVERNMENT OF MADRAS

15

Received 13 DEC 1940 G 4634 19

Registered 13 DEC 40 19

Abstract.

Escheat - South Kanara district - Puttur taluk - Properties of the late Rudrayya - Proposals of the Board of Revenue for disposal - Approved.

RECEIVED 19 DEC 1940

H. Dept. G.O. Ms. No. 5018, dated 12th December 1940.

READ the following paper :—

G.O. No.959, Revenue, dated 30th May 1922.

From the Board of Revenue, Ref. G. No.1810/40-2, dated 18th November 1940.

ENCLOSURES.

No.

ORDER.

The Government approve the proposals of the Board of Revenue in its reference cited above for the disposal of the escheated lands of the late Rudrayya in the Puttur taluk of the South Kanara district, as specified in the list appended to the letter of the Collector of South Kanara, Ref. No. A-3-3031/40, dated 3rd May 1940.

/By order of His Excellency the Governor/.

A.R. MacEwen,
Secretary to Govt.

To the Board of Revenue (with judgement).
Copy to the Collector of South Kanara.

(True copy). Forwarded.
/By order/.

Superintendent.

K.V.D.

J.S.
A.D.(Spl.)

(South Kanara)

Escheat (~~Malabar~~) Dakkur &c. Kokkada &c. Properties of late Rudrayya - Final disposal

Letter from the Coll. of Malabar dt 3 5/40

[G.1810/40]

List of Pps forwarded
Pap 44 nos (T) 6.1.23
Pap 2786 nos (R) 17-12-23
Pap 928 nos (X) 5.6.22
B.P. Nos 2778 Compl 30-11-26
2690 dt 22 11/26

Pp 1-4 C.7

J.O.A.S

The Collector's letter at p.1 C.7 is not full and is defective in the following respects. He may now be requested to submit a full report.

(1) The Collector has not reported about the present value of the lands to be finally disposed of. The properties were originally valued at Rs 30,000/- and the sanction of the Govt was obtained to declare them escheat to the crown. If the value of the properties now to be disposed of exceeds Rs 10,000/- the sanction of the Govt is necessary. The Collector may be requested to Report on this point.

P.1 or (X)

P.28 C 7 2 (X)

The value would not have fallen so as to be Rs 10,000 or less. There is, however, no harm in calling for a report as to the present approximate value. hrs

Pp 3-4 C.7.

(2) The list of properties attached to the coll's present letter does not tally with the list appended to the Coll's letter dt 9.12.1926. Nor does it ~~make clear~~ refer to all the lands specified in Schedules B, C & D of the same letter. It is not known how the final compromise in pursuance of the orders/in (T) was effected & what were the lands that were conveyed to the defendants & to what were the lands in respect of which the rights

Pp 1-4 C 7 & A (T)

of the crown were finally assessed. The Collector may be requested to look into the matter & report specifically whether the list now submitted by him includes all the lands in respect of which the State's claim was asserted & established in 1927.

From the Collr's letter it would appear that he wants sanction for the disposal of all the escheated properties, but this may be decided by the Govt.

(3) From a perusal of the Collr's letter referred to in V.3-4677-21 dt 16.11.1923, it is observed that S.Nos 61/3 & 135 of Dankanady village were offered peaceful possession and that no suit was filed in respect of them. If so, these properties should have been taken possession of in 1923 itself. From the Collr's forestd letter it is observed that they were taken possession of only in May 1927. The Collr may be asked to explain the discrepancy and if they were actually taken possession of in 1923 why no proposals for their final disposal were submitted earlier.

Pp 8 (R) The plaint submitted by the Collr with his letter dt 16-11-'23 clearly shows that these two fields were surrendered by & with the occupants. Pp 1 C.7

(4). The S.Nos & extent of escheated fields do not tally with the extent etc as reported in 1926. This discrepancy requires explanation :—

Pp 2-3 Chm (T) - RV. 3-4 & Pp 3-4 C.T

May be asked to account for the differences

S.No, extent etc as noted in 1926.			S.No extent etc as noted in the Forestd list	
Hakkanda vge.	111/3A	1.34	111/3A2	0.6
	181	0.08	181/2	0.08
	52/6	0.80	52/6A	0.76
	29/7	0.41	29/7	0.44
	29/11	1.50	29/11	1.10
Kankanady vge.	61/7	1.03	61/7	0.69

For ordn.

Jul 9.5.40
J. S

22/5/40

21.5.40

22.5.40

To AS

Draft Ordd

27.5.40

28/5/40

27.5.40

AD (Sett) pp 9-12 C-7

Letter from the Collector of South Kanara dt 3.10.40 [G.1810/40]

AD (Sett)

Dhvo pp. Reelwi after rebee to para-4 of the OW.

9/11

JOAS

pp 9-12 C-7

pp 5-7 C-7.

The Collector has now explained the discrepancies pointed out to him in the BD's letter dt 30.5.40. In the light of the explanation now given, the list originally submitted by the Collector at pp 3-4 C-7 is correct and contains all the properties left by late Rudrayya and fit for final disposal by the Govt now.

p. 9 C.

BSO rr 147 (3) - p 1178. GBSO vol IV Form no 71.

p. 1 of (X)

p 28 C-7 of (X)

2. The present value of the properties is reported to be about Rs 9250/- The Board is competent to sanction the final disposal. When the properties were declared escheat they were valued at Rs 30,000/- and the sanction of the Govt was obtained for the same. As the present value is only approximate & is on the border line, the proposals for final disposal may also be submitted to Govt for their sanction

p-10 C-7

3. The collector accepts that Sy Nos 61/3 & 135 of Hokkad a vge were obtained possession of without

instant disputes in 1923. If that be so, proposals for their final disposal should have been submitted in 1935. The Collector has not explained the delay. Probably the matter has remained unnoticed in the S.L. Office(s) also and cropped up when the disposal of other major properties has arisen. No further remarks are called for as all the properties may be recommended for final disposal.

1923
12 yrs
1935

[illegible]

4. Please see portion in square brackets at top 10-11 C.7.. S.Nos 14/2-A1 (Swelligadi Vge) (= Dry 0.31 - 0-2-0.) & 269/1 of Dokkada village (Dry 0.25 - 0.2-0) were assigned as Kumaki to the adjoining Kadim lands that had been declared escheat to the Govt. The Collector is of opinion that these assignments are uncalled for and that they need cancellation by the Board. Kumaki lands ordinarily go into Kadim lands & Kadim lands cannot be of much use, if their Kumaki is taken away. The assignments made seem proper. This point will further be examined in the B section. If it is decided that the assignments were irregular, then these two S.Nos will have to be excluded from the list of lands. If not, they may be allowed to remain.

p.10 C.7.

(From p. 3N.7 to be read)

2/2/10/40. Note by "B" section..

Kumaki lands are those over which a wargdar is allowed to exercise some privileges to assist him in the cultivation of his warg (Kadim land).

They are intended to afford to the ryots the means of procuring leaves from the brushwood or jungles growing on them as manure for their fields & to grow grass as fodder for their cattle.

In the present case, S. no. 265/1 of Kokkada village forms Kumaki to the Kadim land, S. no. 257/5, escheated to Govt. Sinclair, S. no. 44/A of Nelliadi village forms Kumaki to the Kadim land, S. no. 8/3, escheated to Govt. As pointed out above these Kumaki lands are indispensable to their Kadim lands. ~~So the Dy Tahsildar wanted them to be kept for assignment to the~~ escheated Kadim lands, S. nos. 257/5 & 8/3 could not be disposed of until they became the absolute property of the Govt. Till that time the Kumaki lands had also to be reserved without being assigned to or occupied by any private landowners nearby. So the Dy Tahsildar filed as a precautionary measure to assign them in favour of the Secy of State. As these lands are already at the absolute disposal of the Govt, their assignment in favour of the Secy of State is absurd as observed by the Court. In order to see that the lands are not occupied by or assigned to anybody other than the respective Kadim owners, it would be enough if they are entered in the prohibitive orders book until the Kadim lands are disposed of ——— or if a note is made after them in the Remarks

column
Loyne A Regd. to the effect that they form Kumaki to the Kadim Lands in question.

In the circumstances the assignment made by Tahs was all wrong. It may be cancelled

As Kumaki Lands go with Kadim Lands, the Coll's view that the Kumaki Lands should be sold separately is not correct. No such lands should be sold. Vide para 11 alp 30(a). The lands must be disposed of in favour of the assignees of the Kadim Lands concerned. They should now be left registered as they stood before the assignments were made by Tahs & entered in the prohibitive orders book pending disposal of the escheated lands, S nos 2575 & 8/3 disposed of on application in favour of the assignees of the latter lands. The Coll may be informed accordingly.

2/11. 11/11/40

J.S.

(From p 3 - middle)

To A.S

Draft Sd.

Draft to speak

15/11/40

16/11

Draft approved 16/11

Go. No 5018 Misc Home Dy 1212/40 [B1810/40]

p. 15c-7. AD (Salt)

To A.S

Draft Sd (top of p. 15c-7)

(The order is meaningless & maybe ignored, I think

Better cancel it, otherwise same ten years time will start a fresh enquiry about the apparent absurdity

4/12

AD (Salt)

Sec. B Section

13/11

For adding separate reg. cancellation of escheat

B.P. No. 3585 dis

Dated 17-12-40

Single Member

~~Two Members~~

~~Full Board~~

	I-A.	A.D.S & L.R.	L.R.	Asst. Secretary. Sett.	Sep. Rev.	J.S. Secy.	M 4	M 3	M 2	M 1
(1) Open file seen by				✓		✓				✓
(2) Final draft seen by				✓						
(3) Now circulated to		nil								
(4) Initials.										

Passed for record

Secretary
Joint Secretary.

A.S. (L.R.)
A.S. (Sett,)
A.S. (Sep. Rev.)
A.D.S. & L.R.
I-A.

hav 7/1/41

*Note:- ENTRIES NOT REQUIRED TO BE SCORED OUT.

4/1/41